

INTRODUCTORY LOCAL LAW #J of 2011

AN INTRODUCTORY LOCAL LAW amending Article VII (Penalties for Offenses) Section 65 (Miscellaneous penalties), Section 66 (Permit parking areas) and Section 67 (Metered parking zones) of Chapter 326 (Vehicles and Traffic) of the Code of the Village of Mamaroneck

BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK AS FOLLOWS:

Section 1. *Section 65 (Miscellaneous Penalties) Part C of Chapter 326 (Vehicles & Traffic)* is hereby deleted in its entirety and replaced with the following language:

§ 326-65. Miscellaneous penalties.

- A. Every person convicted of a violation of § 326-6 or 326-7 of this chapter shall, for a first conviction thereof, be punished by a fine of not more than \$100. For a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$200. Upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$350. In lieu of or in addition to such fine, a sentence of imprisonment for not more than 30 days may be imposed for a second or third conviction within 18 months.
- B. In addition to any penalty provided by the Vehicle and Traffic Law, any person violating any of the provisions of § 326-4 or Article III of this chapter shall, upon conviction, be punished for the first offense by a fine not exceeding \$25, for the second offense by a fine not exceeding \$35 and for any subsequent offense by a fine not exceeding \$45, except for those violations as indicated in Subsections D, E and F below.
- C. In addition to subsection B above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
 - (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection C(1).
 - (3) If paid after 90 days of summons being issued: double of Subsection C(2).

Section 2. *Section 66 (Parking permit areas) Part B of Chapter 326 (Vehicles & Traffic)* is hereby deleted in its entirety and replaced with the following language:

§ 326-66. Permit parking areas.

- A. Any person violating any of the provisions of Article IV of this chapter, except § 326-49G and H, may, upon conviction, be punished for the first offense by a fine not exceeding \$25, for the second offense by a fine not exceeding \$35 and for any subsequent offense by a fine not exceeding \$45.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
 - (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection B(1).
 - (3) If paid after 90 days of summons being issued: double of Subsection B(2).

Section 3. Section 67 (Metered parking zones) Part B of Chapter 326 (Vehicles & Traffic) is hereby deleted in its entirety and replaced with the following language:

§ 326-67. Metered parking zones.

- A. Any person violating any of the provisions of Article V of this chapter, except §§ 326-59G and 326-61, may, upon conviction, be punished for the first offense by a fine not exceeding ~~\$20~~ \$25; and for the second offense within a twenty-four-hour period by a fine not exceeding ~~\$30~~ \$35; and for any subsequent offense within a twenty-four-hour period by a fine not exceeding ~~\$40~~ \$45.
- B. In addition to Subsection A above, all violators who fail to pay the base fine within 15 days of the issuance of a summons will be subject to the following penalties:
 - (1) If paid after 30 days but on or before 60 days of summons being issued: double the original fine.
 - (2) If paid after 60 days but on or before 90 days of summons being issued: double of Subsection B(1).
 - (3) If paid after 90 days of summons being issued: double of Subsection B(2).

Section 4. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and

independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 5. This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.